

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

WILA B.V.,)	
)	
Goorseweg 7,)	
NL-7241 DB Lochem)	
The Netherlands)	
)	Civil Action No. _____
Plaintiff,)	
)	Jury Trial Demanded
v.)	
)	
WILSON TOOL INTERNATIONAL, INC.)	
)	
12909 Farnham Avenue,)	
White Bear Lake, Minnesota 55110)	
)	
Defendant.)	
)	
Serve on:		
Resident Agent)	
The Corporation Trust, Inc.)	
300 E. Lombard St.)	
Baltimore, Maryland 21202)	

COMPLAINT

Wila B.V. ("Wila"), through its undersigned counsel, hereby alleges the following for its Complaint against Wilson Tool International, Inc. ("Wilson Tool"):

1. This is a civil action for the infringement of United States Patent No. 5,245,854 entitled "Press Tool and an Adaptor and a Press Therefor" ("the '854 patent"). This Court has jurisdiction under 28 U.S.C. §§ 1331 and 1338(a). Venue is proper under 28 U.S.C. §§ 1391 and 1400(b).
2. Plaintiff Wila is a corporation organized under the laws of the Netherlands, with a principal place of business at Goorseweg 7, NL-7241 DB, Lochem, The Netherlands. Wila has a

wholly owned United States subsidiary, Wila U.S.A. LLC, that has a place of business at 9135 Guilford Road, Columbia, Maryland 21047.

3. On information and belief, Defendant Wilson Tool is a corporation organized under the laws of the state of Minnesota, with a principal place of business at 12909 Farnham Avenue, White Bear Lake, Minnesota 55110.

4. At all times relevant herein, Defendant regularly transacted business in the State of Maryland and is, therefore, subject to this Court's personal jurisdiction.

5. Wila is the owner by assignment of the '854 patent, which was duly and lawfully issued by the United States Patent and Trademark Office on September 21, 1993. Mechinefabriek Wila B.V., the listed assignee on the '854 patent, subsequently changed its name to Wila B.V. A true and correct copy of the '854 patent is attached hereto as Exhibit A.

6. Upon information and belief, Wilson Tool is manufacturing, selling and offering to sell products that infringe the '854 patent under 35 U.S.C. § 271. Wilson Tool is directly infringing, contributorily infringing and/or inducing the infringement of the '854 patent by at least its manufacture, use and sale of its "WT Style" press brake tooling products. Wilson Tool will continue to so infringe the '854 patent unless enjoined by this Court.

7. Wila has placed Wilson Tool on actual notice of the '854 patent due to the parties' prior litigation involving this patent in 2002 and subsequent settlement agreement and limited license.

8. Wilson Tool's activities in infringing the '854 patent are willful and wanton, constituting willful infringement of such United States Patent under 35 U.S.C. § 285.

9. Wila has been irreparably damaged and will continue to be irreparably damaged by reason of Wilson Tool's infringement of the '854 patent unless this Court restrains the infringing acts of Wilson Tool. Wila is without an adequate remedy at law.

WHEREFORE, Wila B.V. prays:

A. that Wilson Tool, its officers, employees, agents, and those persons in active participation in them be permanently enjoined from infringing United States Patent No. 5,245,854;

B. that a decree be entered adjudging that Wilson Tool has infringed United States Patent No. 5,245,854 and that such infringement was willful;

C. that Wilson Tool be ordered to pay damages to Wila pursuant to 35 U.S.C. § 284, including interest from the dates of infringement, resulting from Wilson Tool's infringement of United States Patent No. 5,245,854;

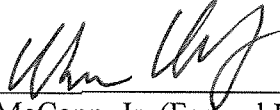
D. that Wilson Tool be ordered to pay to Wila treble damages pursuant to 35 U.S.C. § 284, resulting from Wilson Tool's willful infringement of United States Patent No. 5,245,854;

E. that Wila be awarded its costs of this action and reasonable attorneys' fees pursuant to 35 U.S.C. § 284 and 285; and

F. that Wila be awarded such further relief as this Court may deem just and proper.

Respectfully submitted,

Dated: October 31, 2006



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